

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DARYL ROGERS,

Plaintiff,

v.

CLARK COUNTY CORRECTIONS, *et. al.*,

Defendants.

CASE NO. C22-5064-JCC

ORDER

This matter comes before the Court on Plaintiff's objections (Dkt. No. 40) to the Report and Recommendation ("R&R") of the Honorable S. Kate Vaughan, United States Magistrate Judge (Dkt. No. 39). Having thoroughly considered the R&R and the relevant record, the Court hereby OVERRULES the objections and ADOPTS the R&R for the reasons stated herein.

A district court must conduct a *de novo* review of those portions of a magistrate judge's R&R to which a party properly objects. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A party properly objects when he or she files "specific written objections" to the R&R. Fed. R. Civ. P. 72(b)(2). In contrast, general objections or summaries of arguments previously presented have the same effect as no objection at all since they do not focus the Court's attention on any specific issues for review. *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *see also Garvey v. Uttecht*, 2020 WL 5946157, slip op. at 1 (W.D. Wash. 2020).

Plaintiff alleges he never received a copy of the underlying motion to dismiss, which was

1 the subject of Judge Vaughan's R&R. (Dkt. No. 40 at 1–2.) Although courts generally must
2 construe pleadings liberally in their favor, *pro se* litigants are nonetheless bound by the rules of
3 procedure. *Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995). The Court need only review parts
4 of the magistrate judge's disposition that have been properly objected to. Fed. R. Civ. P.
5 72(b)(3). Here, Plaintiff fails to object to **any portion** of the R&R.

6 Accordingly, the Court ORDERS as follows:

- 7 1. The R&R (Dkt. No. 39) is ADOPTED.
- 8 2. Plaintiff's objections (Dkt. No. 40) are OVERRULED.
- 9 3. Plaintiff's second amended complaint (Dkt. No. 33) is DISMISSED with prejudice.
- 10 4. The Clerk is directed to send copies of this Order to the parties and to the Honorable
11 S. Kate Vaughan.

12 DATED this 28th day of July 2023.

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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE